

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI  
AT KANSAS CITY**

BILLIE RODRIGUEZ, DANIEL ERWIN,  
MICHAEL B. ACKERMAN, and KYLE  
FOREMAN, individually and on behalf of all others  
similarly situated,

Plaintiffs,

v.

EXXON MOBIL CORPORATION, CHEVRON  
USA INC., CHEVRON PHILLIPS CHEMICAL  
CORPORATION, DUPONT de NEMOURS,  
INC., DUPONT CORPORATION, CELANESE  
CORPORATION, DOW INC., DOW  
CHEMICAL COMPANY, EASTMAN  
CHEMICAL COMPANY,  
LYONDELLBASELL INDUSTRIES N.V., and  
AMERICAN CHEMISTRY COUNCIL,

Defendants.

Case No.: 4:24-cv-00803-SRB

**CONSENT MOTION TO EXTEND SPECIALLY APPEARING DEFENDANT  
EASTMAN CHEMICAL COMPANY'S TIME TO RESPOND TO  
PLAINTIFFS' COMPLAINT AND SUGGESTIONS IN SUPPORT**

COMES NOW Eastman Chemical Company, specially appearing by and through counsel, and moves for an Order extending by 28 days—up to and including February 10, 2025—Eastman's deadline to respond to Plaintiffs' Complaint. Plaintiffs' counsel has consented to the relief requested in this motion.

By specially appearing and moving for this extension, Eastman does not concede that it is subject to jurisdiction in this Court and reserves all defenses under Federal Rule of Civil Procedure 12(b).

**SUGGESTIONS IN SUPPORT**

In support of this motion, Eastman states as follows:

1. Counsel for Eastman and Plaintiffs have conferred on the requested relief. By email

of January 7, 2025, Plaintiffs' counsel, Mr. Rex Sharp, confirmed his agreement to extending Eastman's response deadline to February 10, 2025.

2. Eastman was served with the Complaint on December 23, 2024. Its current response deadline is January 13, 2025. The requested 28-day extension would result in a new response deadline of February 10, 2025.

3. Eastman is requesting this extension due to the complexity of Plaintiffs' Complaint, which is 300 paragraphs long and purports to bring 45 separate claims on behalf of various nationwide and state subclasses. The Complaint was also served on Eastman in the middle of the holiday season.

4. As of the date of this filing, it does not appear that all Defendants have been served. However, the parties are discussing a coordinated briefing schedule to aid in the efficient handling of this case and to minimize the burden on the Court. Based on those discussions, Eastman may request a further extension of its response deadline.

5. As of this filing, Eastman's time to respond to the Complaint has not expired.

6. This Consent Motion is filed as a good-faith effort to allow an appropriate amount of time for Eastman to respond to the Complaint. It is not filed to create unnecessary delay.

WHEREFORE, Defendant Eastman Chemical Company respectfully asks that the Court enter an Order extending Eastman's deadline for responding to the Complaint by 28 days, to and including February 10, 2025.

Dated: January 9, 2025

Respectfully submitted,

ARMSTRONG TEASDALE LLP

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***Attorneys for Defendant Eastman Chemical  
Company***

**CERTIFICATE OF SERVICE**

I hereby certify that on this 9th day of January, 2025, a copy of the above pleading was served via the District Court ECM/ECF system on all counsel of record.

/s/ Karrie J. Clinkinbeard  
Attorney for Defendant Eastman  
Chemical Company